



Human Rights Report

Kentucky Commission on Human Rights Quarterly Newsletter

Winter 2003

New Jersey Secretary of State tells young people, Get ready to lead

King Leadership and community service awards presented



The Kentucky Commission on Human Rights (KCHR) announced the 10th annual Martin Luther King Jr. Leadership Awards on January 24 after a presentation by keynote speaker Regena Thomas, the secretary of state of New Jersey and a Clinton, Ky. native.

Secretary Thomas spoke to a crowd of about 250 people at the University of Louisville Floyd Theatre. Approximately 75 elementary and high school students from greater Louisville were in attendance.

She challenged the young people of Kentucky to be prepared to lead human and civil rights forward, saying the call to action can happen to anyone at any time.

"Dr. King did not know where his stand would take him," she said, "but he knew who he was and you must know who you are inside and be ready to serve."

An official ceremony recognized the recipients of the Martin Luther King Youth Leadership, Adult Leadership and Executive Director's Community Service Awards.

Two Louisville students received the youth award. Jennifer Green is a senior at Central High School and Jeremiah Muwanga is a senior at Ballard High School.

Ms. Green is valedictorian of her class with a 4.0 grade point average. She is a Kentucky Governor's Scholar, a member of the Louisville Youth Orchestra and the Black Achievers Teen Senate Public

Relations organization. Some of the organizations for which she has volunteered are Wayside Christian Mission, Operation Brightside, Louisville AIDS Association, Ronald McDonald House, Leukemia and Lymphoma Society, YMCA Black Achievers Program, and The Red Cross Youth Council.

Mr. Muwanga is in his school's advanced learning program and is academically ranked in the top 3 percent of his class. He is a Kentucky Governor's Scholar, a member of the Ballard High School Choral Ensemble and Concert Choir, and was selected for the Kentucky All-State Chorus. He is president of Brothers Makin' It Work (BMW), an outreach program for minority at-risk students.

There were 23 nominees for the awards. Each student was recognized and presented with a certificate of honor.

The adult award went to Laquetta Shepard for outstanding courage. Ms. Shepard gained public attention when she stepped among rallying Klu Klux Klan members in Bowling Green, Ky. last August. The 24-year old Western University student teacher stood in the midst of the robed white supremacists and silently wept. The group abruptly ended the rally 10 minutes later, one hour before the scheduled time.

Two KCHR Executive Director Community Service awards were presented. The first was awarded posthumously to Kentucky educator Mae Henri Frey Kennerly. Ms. Kennerly, who died last July, was principal of King Elementary School in Louisville for 13 years until she retired in July 2001.

During her tenure the school established The Fabulous Leopard Percussionists in November 1993. Teacher and founder of the

Jennifer Green



Jeremiah Muwanga



Violet Bryant accepting on behalf of Laquetta Shepard



Valencia Martin accepting in honor of the late Mae Henri Frey Kennerly



Ed "Nardie" White





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Beverly Watts
Executive Director

From the desk of **Beverly Watts,** Executive Director

Where do we go from here?



Complacency can leave the quality of American life up for grabs and in the hands of people with negative agendas. For example, Sen. Trent Lott's behavior near the end of 2002 seemed to shock many. Why? The senator from Mississippi has been letting Americans know his position all along. One syndicated newspaper columnist listed 23 instances over a span of the last 26 years in which Sen. Lott either voted or made statements that belied his denials of racism and opposition to affirmative action. People finally paid attention in 2002 when he said, "we wouldn't be in the mess we're in today," had Sen. Strom Thurmond's segregationist presidential campaign of 1948 resulted in an election win. This was not a sudden departure for Sen. Lott. He was being true to form. He even made the same statement at another public event years before.

The issue now is where do we go from here? This experience must work to carry America forward in a proactive stance. There are others on Capitol Hill, in local governments, and there are candidates who, like Sen. Lott, have been communicating through words or actions what their real stances are for long periods of time. They are ready to press forward their agendas any time the opportunity becomes available.

Affirmative Action under fire

Affirmative Action is under renewed attack. Critics charge these policies amount to reverse discrimination in exchange for discrimination of the past. Others say affirmative action has done its job and it's time to call it a day. Still others say there are better alternatives.

First, discrimination against minorities and women is very present. The 2000 census reports that for year-round workers ages 25 to 64, the female-to-male earning ratio is 67 cents to the dollar and the wage gap occurs with little variation at every level of education.

The census directly links education with higher earnings at all levels. In spite of those who want to do away with affirmative action in colleges, an average of 28 percent of whites have a bachelor's degree compared to 17 percent of African Americans. For Hispanics, only 57 percent have a high school diploma and 11

percent have a bachelor's degree.

Whites earn more than African Americans or Hispanics at almost every level of education. At the bachelor's level, whites can expect total life-time earnings of about 2.2 million, compared with \$1.7 million for African Americans or Hispanics.

Secondly there have been 40 years, arguably, to undo damage in employment, pay and education that took more than 188 years to program into the national psyche. The job is not done.

Thirdly, if there is a better alternative to affirmative action, what do the critics propose? Where do they want to take America from here?

Louisville police shooting of African American

In Louisville, Ky., the December 2002 shooting of a handcuffed African American man by a white police officer was dismissed in February by a local grand jury, with zero indictments. Louisville city officials have prescribed no disciplinary action. The grand jury agreed with testimony that the man lunged at the officer, his cuffed hands pulled to one side, carrying a knife before the officer shot him 11 times.

Many citizens have expressed urgent concern and the need for action and change. They've asked that a federal grand jury hear the evidence, similar to the Rodney King police beating case in Los Angeles in the early 1990s. Citizens are horrified that six black men have been shot and killed by police officers in Louisville since 2000. Many have demanded to know from officials, what now? Where do we go from here? After a public outcry and active demonstration on the part of citizens, the city is in the process of establishing its first citizen police review board. This is a positive step and an example of how our role as citizens works.

We have the duty to take our communities in the directions of equality and liberty. Each of us has the responsibility to examine the words and actions of our leaders. We have the responsibility to become active in our communities. We must learn about important issues and how they affect our lives. Then we must vote, support and take action accordingly.

Partners Page

— The Ashland Human Rights Commission held a unity rally on Jan. 12 at the Paramount Theater to counter a demonstration by representatives of the Rev. Fred Phelps, the Topeka, Kan., man who opposed the Gay/Straight Student Alliance at Boyd County High School.

The Boyd County Board of Education banned the Gay/Straight Student Alliance - and all other school clubs - in December after a number of parents and local clergy complained about the group meeting at the school. The Ashland Human Rights Commission, led by Chair Carol Jackson, organized the meeting. More than 400 people attended and Ms. Jackson said afterward that the Ashland Human Rights Commission may hold other public gatherings in the future.

— Larry Blackford of Versailles is no longer the chair of the Midway-Versailles and Woodford County Human Rights Commission, due to the expiration of his commission term. Mr. Blackford served on the commission for about eight years, several of those as chair. Many on the Midway Human Rights Commission extolled him for his leadership. Mr. Blackford said he may become more involved in the NAACP now that he is no longer on the Human Rights Commission in Midway.

The new chair of the Midway-Versailles-Woodford County Human Rights Commission is Rev. Ken Golphin, also of Versailles.

— Lexington-Fayette Urban County Human Rights Commission Executive Director William Wharton was among several hundred people who participated in a counter-demonstration on Nov. 24, 2002, to oppose the Rev. Fred Phelps, of Topeka, Kan. who traveled to Lexington in November to protest the adoption of several children by a Lexington homosexual couple. The Lexington-Fayette Urban County Human Rights Commission was among a number of groups involved in opposition to Rev. Phelps. Lexington and Louisville have ordinances that prohibit discrimination based on sexual orientation.

— In September 2002, the Franklin Human Rights Commission was reactivated. On February 16, 2003, the commission was officially introduced to the community at the Community Black History Program in Franklin.

— The Bowling Green Human Rights Commission developed a calendar of great black men in the Bowling Green area. These 24 men serve as positive role models to young people in the Bowling Green community.

— The Henderson County Human Rights Commission hosted a breakfast training session on February 12. This event was open to business owners and human resources personnel, and featured training on various issues of

discrimination, including a sexual harassment segment presented by KCHR Western Kentucky Field Supervisor Adrienne Henderson.

— The Hopkinsville Human Rights Commission hosted its 10th annual Black History Trivia Bowl on February 22. Over 100 area high school students competed in the day-long event held at Hopkinsville Community College. Many people in the community volunteered to keep time and score, making this a successful community event.

— The Murray Human Rights Commission will be reorganizing over the next few months. The mayor of Murray will be appointing several new members to the commission.

— After a long period of inactivity, the Bardstown-Nelson County Human Rights Commission has been meeting regularly. The commission recently held a fair housing workshop.

— The Franklin Human Rights Commission reorganized at the end of last year. New leaders are Chair Wanda Tuck, Vice Chair Terry Johnson, Reporter Rick Dinkens, Treasurer Don Holland, Secretary Becky Kessler and Recording Secretary Robbie Ferreri.

King Leadership Awards

(continued from front page)

Louisville for 13 years until she retired in July 2001.

During her tenure the school established The Fabulous Leopard Percussionists in November 93. Teacher and founder of the band, Diane Downs, credits Ms. Kennerly for supporting and encouraging her to form the Leopards, and challenging the students to excel.

"She was such an amazing leader," Ms. Downs said. "Ms. Kennerly would even drive our equipment truck, go out of town with us to performances, and hang out and inspire the kids."

The second through fifth grade performers have gained

national attention throughout the years. They play at jazz festivals in New Orleans, Chicago, and all over the U.S.

Ms. Kennerly was a district director of the Head Start Program and an educator for 28 years. She encouraged, taught and touched the lives of students throughout her lifetime.

The second award was presented to Ed (Nardie) White, founder and director of the River City Drum Corps, a musical performance program that reaches out to Louisville youths. The program has grown to include 250 members in Louisville area elementary and middle schools.

Covington grapples with ordinance expansion

For more than a year, the Covington Human Rights Commission has labored to expand its current ordinance to protect more residents in different categories of the law. The initial ordinance, which was adopted in 1998, protects Covington residents from housing discrimination based on race, sex, religion and disability. The new ordinance would be expanded to protect residents in housing, employment and public accommodations, such as restaurants. And the ban on discrimination would protect people based on family and marital status and sexual gender or sexual orientation.

A crowd of more than 200 people attended a public hearing Feb. 11 by the Covington City Commission to discuss the measure and most of the speakers overwhelmingly approve of the new law. Of 42 people who spoke, 40 said they

wanted the expanded human rights ordinance while two said the current law didn't need to be changed.

Rev. Donald Smith, the chairman of the Covington Human Rights Commission, told the City Commission that the new ordinance was needed to protect all



of the residents of the city. He disagreed with those who called the new law special rights for homosexuals.

"How can we oppose family

values by proposing human rights?" Rev. Smith said. "One shouldn't be denied a job, or a place to frequent, (because of sexual orientation)."

Rev. Smith noted that Lexington and Louisville have similar human rights ordinances that protect people based on sexual orientation. He called on the Covington City Commission to expand its laws to include a segment of the population that has been excluded in the past.

"You can offer light on the time you have spent in public office," Rev. Smith said. "You will have to ask yourself later, 'Did I make a difference?' You can be the future of Covington."

Covington Mayor Butch Callery said he would hold another public hearing in March, when the City Commission will consider adopting the new human rights ordinance.

35 years later, housing discrimination still rampant

Despite the passages of the Federal Fair Housing Act in 1968 and state fair housing acts like the one passed by Kentucky the same year, African Americans and Hispanics experience discrimination 50 percent of the time when looking for a house or apartment, according to the National Fair Housing Alliance (NFHA). This is not limited to lower-income urban dwellers the NFHA says.

KCHR and organization partners will use the annual fair housing month of April to conduct workshops and seminars throughout Kentucky teaching realtors, rental managers and the public the right to housing, free from discrimination.

Early last year KCHR received a U. S Department of Housing and Urban Development Fair Housing Initiative Program (FHIP) grant. With this grant, the KCHR has conducted more than 22 fair housing workshops in Spanish and three symposiums across the state. It has translated fair housing materials into Spanish, produced a fair hous-

ing video in Spanish, "Sus Derechos en la Vivienda," and a list of interpreters to be used for fair housing matters. The video will be available in Kentucky public libraries, local human rights commissions, and Hispanic community centers before April. Fair housing workshops and symposiums have helped Hispanic residents learn about fair housing rights and helped KCHR network with local Hispanic community centers, organizations and leaders. KCHR hired a bi-lingual outreach coordinator to work directly with the Kentucky Hispanic population, which consists of about 60,000 people.

New Fair Housing Handbook

KCHR, the Kentucky Housing Corporation and the Kentucky Department for Local Governments will release in April a new comprehensive fair housing handbook. The guide offers easy-to-read, color-coded information about the right to fair housing in Kentucky and what to do when discrimination occurs.

Trumpet Great Jonah Jones becomes 34th Great Black Kentuckian

Jonah Jones (1909-2000), celebrated jazz musician from Louisville, was selected as the 34th honoree in the Kentucky Commission on Human Rights educational poster series, The Gallery of Great Black Kentuckians.

The poster unveiling was held on Jan. 7, at the Kentucky Cove restaurant in the Kentucky Center for the Arts.

Center Director Ken Clay spoke at the unveiling about the trumpet player and vocalist who recorded 44 albums during a career that spanned eight decades.

Robert Elliott Jones blew his first note in the Louisville orphanage that he called home, and it was Bessie T. Allen, the orphanage director, who encouraged him to nurture his outstanding talent. Ms. Allen founded the old Booker T. Washington Community Center at Ninth and Magazine Streets. Mr. Jones got his start, playing cornet in the community center band in 1920. It was here that he was nicknamed Jonah by the conductor.

Jonah left Louisville to pursue his dream as a jazz musician and by the late 20s he was playing as a regular on riverboats that traveled the Mississippi. Later, and after a brief



Robert Elliott (Jonah) Jones

stint with the band of Lil' Armstrong (Louis' wife), he played with the Cab Calloway orchestra from 1941 through 1952. He and bop legend Dizzy Gillespie were both members of the Calloway trumpet section. Among the many tracks that Mr. Jones did with Calloway was *Jonah Joins The Cab*.

Jonah was a frequent sideman on record sessions with Teddy Wilson and Billie Holiday. He recorded for Commodore, worked with the Earl Hines Sextet from 1952 to 1953, played for the Broadway pit band in *Porgy And Bess* in 1953, and toured Europe as a solo artist.

Next he formed a combo for nightclub work and became an unexpected commercial success, singing and playing mostly muted horn. The albums *Muted Jazz*, *Swingin' On Broadway* and *Jumpin' With Jonah* were all in the top 15 albums in 1958. Mr. Jones became a big band star with swing favorites and show tunes bringing him a string of hits. He sold a million copies of his versions of *On the Street Where You Live* and *Baubles, Bangles and Beads*. He won a Grammy in 1959 for the album, *I Dig Chicks*.

Continuing to perform after retirement age, he was still leading his quartet in the 1980s. His final performance was in November 1999 during a Jazz Foundation of America benefit concert at the Blue Note club in Greenwich Village, N.Y. Mr. Jones retired from regular performing in 1993.

At the invitation of Mr. Clay, Mr. Jones visited Louisville again in 1999, appearing at the center for the arts for a concert held in his honor, "Back Home with Jonah." Mr. Jones died on April 30, 2000.

35th Great Black Kentuckian is Darryl Owens of Louisville

Darryl T. Owens of Louisville was honored in a ceremony held Thursday, February 20, as the 35th member of the Gallery of Great Black Kentuckians. KCHR Executive Director Beverly Watts unveiled the first poster during the Black History Month Reception of the African American Strategic Planning Group (AASPG) and cosponsored by KCHR in the Glassworks Building in Louisville.

"I am so delighted," Mr. Owens told the group of about 80 people. "I am deeply honored and moved to be included among those incredible people known as great black Kentuckians."

The 66-year old attorney, politician and government official is the only person to be elected for five straight terms to the Jefferson County Fiscal Court. From 1965 to 1969, he served as the first black assistant prosecutor of Louisville police court. He later became the first black assistant Kentucky attorney general. He served as the first black president of the Louisville Legal Aid Society. In 1983, he was the first black person to serve in a county-wide office as fiscal court commissioner for C District in Louisville. In 1985, he became the first black person to run for mayor in

Louisville.



Darryl T. Owens

Jefferson County. He helped calm the unrest that developed in May 1968, when two people died, 10 people were injured and 472 people were arrested in Louisville's West End after a civil rights rally. He provided community leadership when two fire bombings threatened the safety of the city in August 1968, one at Zion Baptist Church and the other at Newburg Community Center. He served as president of the Louisville branch of the

Since, 1965 Mr. Owens has practiced civil and criminal law in Louisville. During the late sixties, he fought for civil rights after a number of disturbances heightened racial tensions in Louisville and

NAACP from 1970 to 1976, during the busing controversy in Jefferson County schools.

He was a juvenile court judge in 1980 and served as the trial commissioner of Jefferson County Court. He was a member of the Kentucky Workmen's Compensation Board, University of Louisville Board of Trustees, Louisville Urban League, and local and state government advisory committees.

He was the architect of the AASPG, which helped develop the Economic Opportunities Act approved by the 1999 Kentucky General Assembly to promote minority businesses in Louisville. He completed his last term as Jefferson County commissioner in 2002.

KCHR introduced the gallery series in 1970, to recognize the achievements of African Americans who were neglected in traditional histories and to introduce African American history into Kentucky classrooms. Educators and libraries use the colorful, biographical-style posters and matching bookmarks as teaching tools. They help the commission in its mission to raise awareness of human and civil rights in Kentucky.

KCHR approves conciliations totalling \$23,700

The Kentucky Commission on Human Rights approved four conciliation agreements at regular meetings in December 2002 and January 2003 totalling \$23,700.

Conciliation agreements are not admissions by the respondents of any violations of the law. The respondents deny all allegations of violations of the law. Conciliations are reached through KCHR negotiations between the complainants and respondents in consideration for the full and complete resolution of all claims.

Oliver Jackson v. Rainbow Coal and Oil Co. in Versailles

In a complaint alleging discrimination based on race, black, in employment, a violation of The Kentucky Civil Rights Act, KRS 344.040, a conciliation agreement included \$10,000 compensation to the complainant, a provision requiring annual employee training by the respondent, and KCHR monitoring of the respondent for three years.

Sondra Kummer v. Dr. Bizer Vision World Preston Hwy. branch in Louisville

In a complaint alleging discrimination based on disability in employment, a violation of The Kentucky Civil Rights Act, KRS 344.040, a conciliation agreement included \$4,200 compensation to the complainant and a provision requiring civil rights compliance training for the respondent's employees.

Kimberly Sturgill v. William Wolsing in Florence

In a complaint alleging discrimination based on familial status (pregnant female) in housing, in violation of The Kentucky Civil Rights Act, KRS 344.360, a conciliation agreement included \$4,500 compensation to the complainant, a requirement that the respondent instruct employees and post information about equal housing opportunity rights for prospective renters, and KCHR monitoring of the respondent for three years.

Torry Herndon v. Willa Mae Ross in Covington

In a complaint alleging discrimination based on familial status (family with children) in housing, in violation of The Kentucky Civil Rights Act, KRS 344.360, a conciliation agreement included \$5,000 compensation to the complainant and a requirement that the respondent participate in civil rights compliance training as well as instruct employees and post information about equal housing opportunity rights for prospective renters.

In other business, the commission dismissed 74 discrimination complaints with findings of no probable cause and accepted from complainants, four complaint withdrawals and one complaint withdrawal with settlement.

KCHR enforces the Kentucky Civil Rights Act, which prohibits discrimination based on race, sex, religion, national origin, age (over 40), color, disability, familial status, retaliation in employment, housing, public accommodations and financial services. Complaints that cannot be dismissed, settled or conciliated, go to administrative hearing, where commission decisions have the authority of a court of law.



Above is Kimberly Sturgill (left) with her family. See the conciliation on this page.

At right is a KCHR administrative hearing in a discrimination complaint based on religion in Louisville. A decision by the hearing officer in Kevin Jacobs v. Modern Concrete and General Drivers and Dock Hands Local 89 is pending. From left to right are KCHR's attorney Alteata McWilliams and legal unit managing attorney Jeff Metzmeier, along with Mr. Jacobs in front.



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Did you know more than 3,000 people and organizations receive this newsletter? Due to the growing list, the *Human Rights Report* is changing to Email. Please help ensure that you continue to receive news and information about human and civil rights in



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Human Rights Report

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Visit our website!
www.state.ky.us/agencies2/kchr

Inside this edition...



Several classes from King Elementary School of Louisville were among the audience of the Kentucky Commission on Human Rights Martin Luther King Jr. Legacy annual celebration held in January at the University of Louisville. Above, children watched as 23 high school students were recognized for leadership in human and civil rights.

Learning about the legacy of leadership
See the front page.